

**VIRTUAL/TELECONFERENCE
CONTROLLED SUBSTANCES BOARD
MEETING MINUTES
JANUARY 13, 2023**

PRESENT: Troy Alton, Subhadeep Barman, Yvonne Bellay, Alan Bloom, Doug Englebert, Michael Parish (*excused at 10:55 a.m.*), John Weitekamp

EXCUSED: Kris Ferguson, Sandy Koresch, Robert Weinman

STAFF: Adam Barr, Executive Director; Jameson Whitney, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Katlin Schwartz, Bureau Assistant; and other DSPS Staff

Michael Parish served as the Medical Examining Board Representative at this meeting.

CALL TO ORDER

Doug Englebert, Chairperson, called the meeting to order at 9:32 a.m. A quorum was confirmed with seven (7) members present.

ADOPTION OF AGENDA

MOTION: Alan Bloom moved, seconded by Michael Parish, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 11, 2022

MOTION: Troy Alton moved, seconded by John Weitekamp, to adopt the Minutes of November 11, 2022 as published. Motion carried unanimously.

LEGISLATURE AGENDA REQUEST: STATUS OF KRATOM

MOTION: Subhadeep Barman moved, seconded by Yvonne Bellay, to carry over the topic of the Scheduling of Kratom until the Boards next meeting in March of 2023. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Preliminary Rule Draft

MOTION: Michael Parish moved, seconded by Subhadeep Barman, to approve the preliminary rule draft for the following rules for posting for economic impact comments and submission to the Clearinghouse:

- CSB 2.92, Relating to Scheduling 38 Anabolic Steroids
- CSB 2.93, Relating to Scheduling Daridorexant
- CSB 2.94, Relating to Scheduling 7 Synthetic Benzimidazole-Opioids
- CSB 2.95, Relating to Scheduling Ganaxolone

Motion carried unanimously.

Affirmative Action Order

CSB 2.96, Relating to Scheduling Amineptine

MOTION: Alan Bloom moved, seconded by Yvonne Bellay, to schedule by affirmative action Amineptine as a schedule I controlled substance. The order shall take effect upon publication in the Administrative Register. Motion carried unanimously.

CSB 2.97, Relating to Scheduling Zipeprol

MOTION: John Weitekamp moved, seconded by Michael Parish, to schedule by affirmative action Zipeprol as a schedule I controlled substance. The order shall take effect upon publication in the Administrative Register. Motion carried unanimously.

CSB 2.98, Relating to Scheduling Excluding [¹⁸F] FP-CIT

MOTION: Alan Bloom moved, seconded by Doug Englebert, to exclude by affirmative action [¹⁸F] FP-CIT as a schedule II controlled substance. The order shall take effect upon publication in the Administrative Register. Motion carried unanimously.

CSB 2.99, Relating to Scheduling Mesocarb

MOTION: Michael Parish moved, seconded by Troy Alton, to schedule by affirmative action Mesocarb as a schedule I controlled substance. The order shall take effect upon publication in the Administrative Register. Motion carried unanimously.

CSB 2, Relating to Scheduling Methiopropamine

MOTION: Yvonne Bellay moved, seconded by Troy Alton, to schedule by affirmative action Methiopropamine as a schedule I controlled substance. The order shall take effect upon publication in the Administrative Register. Motion carried unanimously.

Michael Parish was excused at 10:55 a.m.

Drafting Proposals

CSB 4, Relating to National Provider Identifier Requirements

MOTION: Alan Bloom moved, seconded by Doug Englebert, to designate Subhadeep Barman and John Weitekamp to serve as liaisons to DSPS staff for drafting CSB 4, relating to National Provider Identifier Requirement. Motion carried unanimously.

ADMINISTRATIVE MATTERS**Election of Officers***Slate of Officers*

NOMINATION: Troy Alton nominated the 2022 slate of officers to continue in 2023. All officers accepted their nominations.

Adam Barr, Executive Director, called for nominations three (3) times.

The Slate of Officers was elected by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Doug Englebert
Vice Chairperson	Alan Bloom
Secretary	Yvonne Bellay

Appointment of Liaison and Alternates

LIAISON APPOINTMENTS	
Special Use Authorization (SUA) Liaison(s)	Alan Bloom, Yvonne Bellay <i>Alternate:</i> Doug Englebert
PDMP Liaison(s)	Subhadeep Barman <i>Alternates:</i> Kris Ferguson, John Weitekamp-Pharmacy Issues, Doug Englebert
Legislative Liaison(s)	Doug Englebert <i>Alternates:</i> John Weitekamp
SCAODA Representative	Subhadeep Barman <i>Alternate:</i> Kris Ferguson
Referral Criteria Workgroup	Doug Englebert, John Weitekamp, Subhadeep, Barman, Robert Weinamn

Delegation of Authorities

Document Signature Delegations

MOTION: Alan Bloom moved, seconded by Subhadeep Barman, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: John Weitekamp moved, seconded by Subhadeep Barman, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Alan Bloom moved, seconded by Troy Alton, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Special Use Authorization Liaison(s) Delegation

MOTION: Troy Alton moved, seconded by John Weitekamp, to authorize the SUA Liaison(s) to review and make approval decisions regarding SUA applications and approve required training or credentialing on behalf of the Board. Furthermore, the Board authorizes DSPS staff to sign SUA permits on behalf of the Board. Motion carried unanimously.

MOTION: Doug Englebert moved, seconded by Troy Alton, to authorize the SUA Liaison(s) to make all decisions related to Special Use Authorizations. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Doug Englebert moved, seconded by Alan Bloom, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Yvonne Bellay moved, seconded by Subhadeep Barman, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

SCAODA Representative Delegation

MOTION: Yvonne Bellay moved, seconded by Doug Englebert, to authorize the SCAODA representative to vote on behalf of the Board at the State Council on Alcohol and Other Drug Abuse meetings. Motion carried unanimously.

PDMP Liaison(s) Delegation

MOTION: Doug Englebert moved, seconded by Troy Alton, to authorize PDMP Liaison(s) to make individual decisions on behalf of the Board when waiting for a Board meeting would unreasonably delay the development, testing, deployment, or operation of the PDMP. The Board also grants the PDMP liaison the authority to suspend access to the PDMP pursuant to CSB § 4.09(3). Motion carried unanimously.

Referral Criteria Workgroup Membership Delegation

MOTION: John Weitekamp moved, seconded by Doug Englebert, that in order to facilitate the completion of its duties between meetings, the Board delegates authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to appoint members to the Referral Criteria Workgroup between meetings as necessary. Motion carried unanimously.

ADJOURNMENT

MOTION: John Weitekamp moved, seconded by Subhadeep Barman, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:27 a.m.